

RECLAMATION DISTRICT NO. 551

414-926 J BUILDING
SACRAMENTO 14, CALIFORNIA

June 16, 1964

The Reclamation Board of
The State of California
1215 O Street
Sacramento, California

7001.00.000

Attention: Mr. Howard Sullivan
Assistant Secretary

Gentlemen:

In response to your recent inquiry as to the expenditures of this District for levee maintenance, I advise that I can not give you any information which would have any degree of accuracy. This is due to the fact that almost all of the levee maintenance expenditures we have made are charged to the account of "dragline", irrespective of whether the operation of the dragline was on the levee or elsewhere in the District.

Very truly yours,

V. L. Diepenbrock

V. L. DIEPENBROCK,
Secretary

\$1,500 per year

August 12, 1963

7200.⁶⁰~~00~~.000

AD #551

Mr. D. S. Heringer, President
Reclamation District No. 551
Route 1, Box 84
Courtland, California

Dear Sir:

Enclosed is an executed and approved copy of the Assurance Agreement dated the 24th day of June, 1963, between Reclamation District No. 551 and the State Reclamation Board relating to the Sacramento River Bank Protection Project.

Your cooperation has sincerely been appreciated.

Sincerely yours,

A. E. McCOLLAM
General Manager

By
CHARLES H. BOBBY
Administrative Advisor

CHB:gg
Enclosure

Manager		
Asst. Engineer		
Counsel	OK	8/12/63
R/W Agent		
Accounting		
R/W Engineer		
Des'n Engineer		
Applications		
Negotiation		
Appraisal		
Steno. Pool		
Adm. Asst.		

7200.00.000

A G R E E M E N T

THIS AGREEMENT is made and entered into by and between THE RECLAMATION BOARD of the State of California, hereinafter referred to as the "Board," and Reclamation District 551 hereinafter referred to as the "District," on the 24th day of June, 1963, in view of the following circumstances:

WHEREAS, the Congress, by Public Law 86-645, 86th Congress, approved July 14, 1960, authorized a project of bank protection for the Sacramento River and its tributaries, subject to securing assurances that one-third of the total project cost would be assumed by some agency other than the United States, that the United States would be held free and harmless from damages due to the construction works performed under that project, and that project works would be maintained and operated in accordance with the regulations of the Secretary of the Army, upon completion of the work; and

WHEREAS, the Legislature of the State of California authorized Board to give these assurances under the provisions of Sections 12649.1 and 12657 of the Water Code; and

WHEREAS, necessary funds will be appropriated to enable the State to meet the one-third local interest construction contribution in connection with the project, subject to the Board having first received written assurances from a public agency other than the Board agreeing to assume the obligations of maintaining and operating the project and of holding the United States and the State harmless from damages; and

WHEREAS, Board proposes, with the cooperation of the United States, to construct pursuant to the said project certain work to be performed on levees or berms within the jurisdiction or boundaries of District; and

WHEREAS, the proposed project work will be beneficial to lands and properties located within the District and District is willing to undertake the obligation of holding and saving the State and the United States free and harmless from damages arising out of such work and to undertake the maintenance and operation of such work when completed;

NOW, THEREFORE, IT IS HEREBY AGREED THAT:

1. Prior to the commencement of any work to be performed pursuant to said project within the jurisdiction or boundaries of District, Board will submit to District for review and comment the initial set of preliminary plans received by the Corps of Engineers for such work. Such plans or such modified plans as are available to the Board will be submitted as soon as available and not less than thirty (30) days prior to advertising such work for bid, and shall be in substantial conformity with Senate Document #103, 86th Congress, Second Session. Final plans and specifications for such work shall be submitted to District for review and comment at least ten (10) days prior to the opening of bids for such work. Comments of the district to the Board shall be advisory in nature.

2. Board, if funds are available to it, will proceed with the construction of the said work in cooperation with the United States in substantial conformity to the final plans and specifications above referred to.

3. Provided Board has submitted plans and specifications pursuant to paragraph 1 above and the work has been constructed pursuant to paragraph 2, District shall:

(a) Hold and save the United States free from damages due to the above described construction work;

(b) Maintain and operate, in accordance with the regulations prescribed by the Secretary of the Army, said works and improvements above described lying within the jurisdiction or boundaries of District, said maintenance and operation to commence upon turnover by the Corps of Engineers, United States Army, of any unit of completed work of the project to Board; and

(c) Hold and save the State of California, the Sacramento and San Joaquin Drainage District and Board, their successors and assigns, free and harmless from any and all claims arising out of or in connection with the aforesaid obligations assumed by District.

4. It is expressly understood between the parties hereto that the obligations of District to hold and save harmless and to maintain and operate hereunder are limited to the State of California and its agencies described above and the United States and shall not give rise to any cause of action against District by other persons.

5. To the extent that the obligations assumed hereby are validly assumed by another agency, then and to that extent the obligations of District hereunder shall terminate.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

RECLAMATION DISTRICT NO. 551

THE RECLAMATION BOARD of the State
of California

By Donald S. Heringer

By Stanley W. Kinnick

By Carl H. Henry
Joseph E. Green

By Wallace McPhee

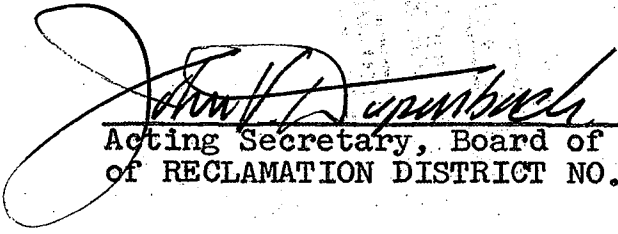
Cos	FORM	SUBJECT	VALUE	DESCRIPT.
DEPARTMENT OF FINANCE				
APPROVED				
JUL 22 1963				
HALE CHAMPION, Director				
BY <u>[Signature]</u> Senior Counsel				

BE IT RESOLVED that the Trustees of the District execute in duplicate the Assurance Agreement relating to the Bank Protection Project for the Sacramento River and Tributaries which was submitted to the District by the Reclamation Board of the State of California by letter dated May 9, 1963, and the acting Secretary be and he is hereby instructed to forward the duplicate originals and one copy of said Assurance Agreement to the Board.

SECRETARY'S CERTIFICATE

I, JOHN V. DIEPENBROCK, Acting Secretary of the Board of Trustees of Reclamation District No. 551, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted at a regular meeting of the Board of Trustees of said District duly and regularly held at the regular meeting place thereof on the 5th day of June, 1963, of which meeting all of the Trustees of said District had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Trustee Herzog, seconded by Trustee Heringer and was duly adopted by unanimous vote of the Board.

IN WITNESS WHEREOF, I have hereunto set my hand this day of June, 1963.


Acting Secretary, Board of Trustees
of RECLAMATION DISTRICT NO. 551.

RECLAMATION DISTRICT NO. 551

414 - 926 J BUILDING
SACRAMENTO 14, CALIFORNIA

7200.60,102

June 11, 1963

The Reclamation Board of
the State of California
1215 O Street
Sacramento 14, California

Attention: Mr. A. E. McCollam
General Manager

Dear Mr. McCollam:

In line with your letter of May 9, 1963, addressed to Mr. Joe Green, President, we enclose duplicate originals and one copy of the Assurance Agreement, duly executed by the Trustees of Reclamation District No. 551.

Please post your records to reflect the death of Mr. Joe Green and his replacement as President of Reclamation District No. 551 by Donald S. Heringer whose address is Courtland, California.

Very truly yours,


JOHN V. DIEPENBROCK
Acting Secretary

Encl.

P.S.: Also enclosed is a certified copy of the resolution authorizing the execution of the Assurance Agreement.

J.V.D.

May 23, 1963

7200.60.100

Mr. Joe Green, President
Reclamation District 551
Courtland, California

Dear Mr. Green:

On May 9, 1963 we forwarded an assurance agreement for execution by your District relating to the Bank Project for the Sacramento River and Tributaries.

May we ask the status of the agreement?
Expenditure of funds for the project is dependent on our receipt of the agreement.

Yours very truly,

TLH:rbj

A. E. McCOLLAM
General Manager

Mr. Green		
Mr. Thompson		
Mr. Smith		
Mr. Jones		
Mr. Brown		
Mr. Miller		
Mr. Wilson		
Mr. Moore		
Mr. Taylor		
Mr. Anderson		
Mr. Roberts		
Mr. Clark		
Mr. Lewis		
Mr. Hall		
Mr. King		
Mr. Wright		
Mr. Scott		
Mr. Green		
Mr. Thompson		
Mr. Smith		
Mr. Jones		
Mr. Brown		
Mr. Miller		
Mr. Wilson		
Mr. Moore		
Mr. Taylor		
Mr. Anderson		
Mr. Roberts		
Mr. Clark		
Mr. Lewis		
Mr. Hall		
Mr. King		
Mr. Wright		
Mr. Scott		

May 9, 1963

7200.60.100

Mr. Joe Green, President
Reclamation District 551
Courtland, California

Dear Mr. Green:

We are transmitting herewith two duplicate originals and two copies of an Assurance Agreement relating to the Bank Protection Project for the Sacramento River and Tributaries.

The Corps of Engineers preliminary plans covering the work to be accomplished in your district have been sent to you under date of November 15, 1962.

We would appreciate your immediate consideration and execution of this Agreement as project funds cannot be expended until your executed Assurance Agreement is received.


Please furnish us with an extract of your Board minutes authorizing the execution of this agreement and thereafter return both the duplicate originals and one copy of the Assurance Agreement. A fully executed duplicate original will be forwarded to you as soon as available.

Thank you for your cooperation in this matter.

Yours very truly,

A. E. McCOLLAM
General Manager

RDM:rbj
Encs.

Manager		
Asst. Engineer		
Council		
R/W Agent		
Accounting		
R/W Engineer		
Draft Engineer		
Applications		
Negotiation		
Appraisal		
Steno. Pool		

*Green copy -
Rel #55,*

November 15, 1962

Mr. Joe Green, President
Reclamation District 551
Courtland, California

Dear Mr. Green:

Reference is made to the Bank Protection Project for the Sacramento River and Tributaries, which is planned to extend over the next ten years at a combined State and Federal total cost estimated at \$21,000,000.

Enclosed for your use and information are the Corps of Engineers plans covering the work to be accomplished in your district in 1963. The tentative advertising date for this contract is July 1, 1963.

Your comments on the above proposed work would be appreciated.

Sincerely yours,

A. W. MURRAY
General Manager and Chief Engineer

By
HOWARD S. HITCHCOCK
Assistant Chief Engineer

PCW:jc
Enclosure